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5 **OK/HAV**

6 Attorney for Defendant  
STUART MARTIN ALLEN  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA, ) No. CR-S-04-0438 DFL  
12 Plaintiff, )  
13 v. ) STIPULATION AND [PROPOSED ORDER]  
14 STUART MARTIN ALLEN, ) Date: April 20, 2006  
15 ) Time: 10:00 A.M.  
16 Defendant. ) Judge: Hon. David F. Levi  
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18 IT IS HEREBY STIPULATED by and between the parties hereto through  
19 their respective counsel, WILLIAM WONG, Assistant United States  
20 Attorney, attorney for Plaintiff, and DENNIS S. WAKS, Supervising  
21 Assistant Federal Defender, attorney for defendant, that the current  
22 status conference date of March 30, 2006 be vacated and a change of  
23 plea hearing will be set for April 20, 2006 at 10:00 a.m.  
24

25 Counsel has recently received a plea agreement in this case and  
26 will need additional time to speak with Mr. Allen and review the  
27 proposed plea agreement and review the discovery in the case.

28 It is further stipulated and agreed between the parties that the

1 period beginning March 30, 2006 to April 20, 2006, should be excluded  
2 in computing the time within which the trial of the above criminal  
3 prosecution must commence for purposes of the Speedy Trial Act for  
4 defense preparation. All parties stipulate and agree that this is an  
5 appropriate exclusion of time within the meaning of Title 18, United  
6 States Code, Section 3161(h)(8)(iv) (Local Code T4) and that the ends  
7 of justice to be served by a continuance outweigh the best interests of  
8 the public and the defendant in a speedy trial.

9  
10 Dated: March 29, 2006

11 Respectfully submitted,

12 DANIEL J. BRODERICK  
13 Acting Federal Defender

14 /s/ Dennis S. Waks  
15 DENNIS S. WAKS  
16 Supervising Assistant Federal Defender  
17 Attorney for Defendant  
18 STUART MARTIN ALLEN

19 MCGREGOR W. SCOTT  
20 United States Attorney

21 Dated: March 29, 2006

22 BY: /s/ Dennis S. Waks for  
23 WILLIAM WONG  
24 Assistant U.S. Attorney

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28 Stipulation and order/Stuart Allen\Cr-S-04-438

## ORDER

Based on the parties' stipulation and good cause appearing therefrom, the Court hereby adopts the stipulation of the parties in its entirety as its order. The Court specifically finds that the ends of justice served by the granting of such continuance outweigh the interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: 3/29/2006

DAVID F. LEVI  
United States District Judge